#### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 1 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: O1-28-2008

Signature

Signature

STAN'LEY ALLEN

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case <sup>C</sup> 357373	v60127FRCRAWGC Document 2"F116200 13026/6899 1 gf 3 2 of 98
V.	FILED RECEIVED SERVED ON COUNSELPARTIES OF RECORD
1	COMPRETENTIAL
2	IN THE UNITED STATES DISTRICT COURFIER - 1 2008 FOR THE DISTRICT OF NEVADA
3	CLERK US DISTRICT COURT
4	UNITED STATES OF AMERICA,  DISTRICT OF NEVADA  DEPUT
5	Plaintiff,
6	WALKER RIVER PAIUTE TRIBE,  IN EQUITY NO. C-125
7	Plaintiff-Intervenor, ) SUBFILE NO. C-125-B
8	vs.
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	<ol> <li>I hereby enter my appearance in this sub-proceeding in this case.</li> </ol>
12	<ol> <li>I hereby enter my appearance in this suo-proceeding in this case.</li> <li>I am filing this document with the District Court at the following address and as</li> </ol>
13	directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
15	District of Nevada 400 South Virginia Street, Suite 301
16	Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
1.8	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
. 27	
28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

# Case<sup>C</sup>3:73-76-10-001277ERCRAW GC DOCUMENTATION 2015 189 26/08 4 2 3 of 98

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
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12	
13	(Signature)
14	Stan Ca. Allo
15	(Printed or typed Name)
16	
17 18	STANKEY ALLEN'
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
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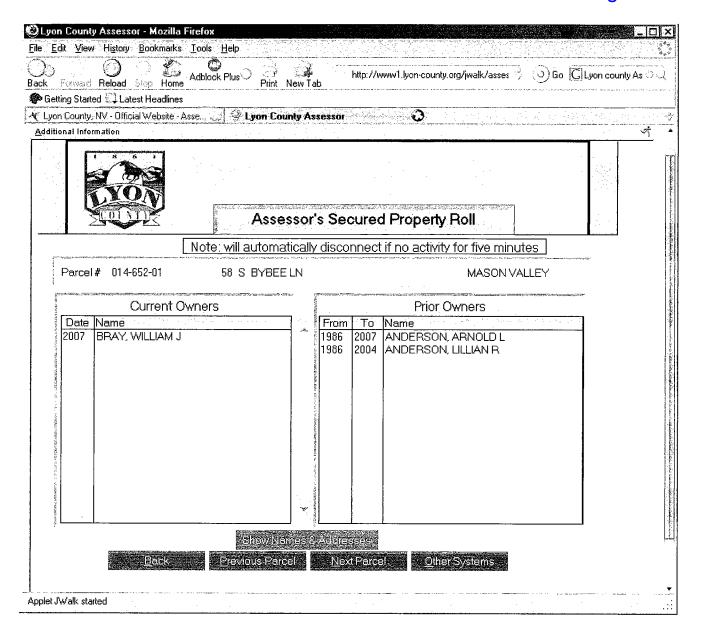
# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 4 of 98

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Getting Started 🕰 Latest Headlines	
Lyon County, NV - Official Website - Asse 🔾 🕒 Lyon Equally Assessor	*
Additional Information	<u> </u>
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SCOUNTY Assessed Seatured December Dall	
Assessor's Secured Property Roll	
Note: will automatically disconnect if no activity for five minutes	
Parcel Number 014-652-01 Prior Parcel # Changed	
Last Updated 12/10/07 By LHINES Next Parcel # Changed	
Improvements etc Ownership Description Sizes	
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Assessed Owner BRAY, WILLIAM J	
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Personal Prop	
NEDINICTON NV	
Ag Land	Į į
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# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 5 of 98

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Lyon County, NV - Official Website - Asse Skyon County Assessor
Additional Information
Assessor's Secured Property Roll
Note: will automatically disconnect if no activity for five minutes
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Qwner & Descrip  Legal Description  Lax Years  Personal Prop  Ag Land  Exemptions  Livestock    Marcel Search   Previous Parcel   Next Parcel

#### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 6 of 98



#### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 7 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2-6-08 Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

<u>A</u> dditional Information				.5
	A:	ssessor's Secured Pr	operty Roll	
	Note: will auto	omatically disconnect if n	o activity for five minutes	
Parcel Number	012-081-42	Prior Parcel #	Changed	
Last Updated	3/13/08 By QUISE	Next Parcel #	Changed	:
<u>Improvements etc.</u>	Ownership Description	ı  <u>S</u> izes		
Legal Description	Legal Owner	JOHNSTON, HALB	<u>O</u> wnership	History
	Assessed Owner	JOHNSTON, HALB		Auda Lizeren Antikka derek
Tax Years	Mail Address	264 SUNSET HILLS DR		
Personal Prop Ag Land		YERINGTON, NV	89447-0000	(Margor system of Mar
	Vesting Doc#, Date	421600 3/03/2	008	Help of Tables of Head
Exemptions	Year, Book, Page	00 000 000		
<u>L</u> r/estack	Map Document#s			History :
<u>D</u> isplay Plat Map	Force Assmt Notice			
Plat Map display requires Adobe Reader (obtain) Adobe	<u>N</u> ew Parcel Sea	rch <u>P</u> revious Parcel	Next Farcel	•
	<b>***</b>			an ann an







## Assessor's Secured Property Roll

Note: will automatically disconnect if no activity for five minutes

Parcel # 012-081-42

18 MASON RD

MASON VALLEY

#### Current Owners

<u>glasiya kabas</u>	Oditotic Omitota				
Date	Name				
2008	JOHNSTON, HALB				
2007	JOHNSTON, HAL				
i i					
	-				

#### Prior Owners

ylvinja,8704	Staller to (Ag)	
From	To	Name
2007	2008	BARNES, KIMBERLY ET AL
2004	2007	BARNES, KIMBERLY A
2004	2007	BARNES, JOSHUA R & KIMBERLY A
1999	2004	CASEY, PAULH TR
1986	1999	HIGH, CAROL M
1986	1999	HIGH, CRANFILL A & CAROL M
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Show Names & Addresses

Back

Erevious Parcel

<u>N</u>ext Parcel

<u>O</u>ther Systems

Next Parcel

c Goesel	173 cv 00127 FCR RAM a Rocument 1278	Filed 12/10/2007 to Page 1 of 2: 4 4 6 0
Case 3.73	₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽	2 Filed US/25/US Fage RECEIVED 98ENTEREDSERVED ON
		COLINSEL/PARTIES OF RECORD
1		DEC 19
2	IN THE UNITED STATES	Diamaran abiling
3	B	OF NEVADA  CLERK US DISTRICT COURT DISTRICT OF NEVADA
4	UNITED STATES OF AMERICA,	BY:DEPUTY
5	Plaintiff,	)
6	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	<b>)</b>
10	NOTICE OF APPEARANCE AND	INTENT TO PARTICIPATE
11	I hereby enter my appearance in this	e sub proceeding in this case
12	, , , , , , , , , , , , , , , , , , , ,	istrict Court at the following address and as
13	2. I am filing this document with the D directed on the Notice In Lieu of Summons:	istrict Court at the following activess and as
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 30	
16	Reno, Nevada 89501	,,
17	3. I (or the entity on whose behalf I am	acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the	court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service	e of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf	I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that a	ttorney below, along with his or her mailing
22	address, telephone number, facsimile number, and	l e-mail address:
23	,	
24	Attorney:	
25		
26	Address:	
27		
28	*	
	NOTICE OF APPEARANCE AND INTENT TO PAR	TICIPATE (service), page 1 of 2

# Case 3:73 - 63-969 27-5655-WG & 50-600 127-5655-WG & 50-600 127-565-WG & 50-6000 127-565-WG & 50-600 127-565-WG & 50-600 127-565-WG & 50-6000 127-565-WG & 50-6000 127-565-WG & 50-6000 127-565-WG & 50-60000

1	
1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	
12	June Dalling
13	(Signature)
14	1 0 72 11.
15	Jennifer Batting
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose behalf you are appearing)
20	PO BOX 300
21	29 Marney lane (Address)
22	Wellington NV 89444
23	(Telephone number)
24	775 - 465 - 9840
25	
26	
27	
28	

COUNSELIPARTIES OF RECORD UNITED STATES DISTRICT GOURTH THE 2 FOR THE DISTRICT OF NEVADA 3 IN EQUITY NO. C-125 ES OF AMERICA, SUBFILE NO. C-125-B Plaintiff,  $\epsilon$ WALKER RIVER PAIUTE TRIBE, ORDER - DISCLAIMER OF 7 INTEREST Plaintiff-Intervenor, WALKER RIVER IRRIGATION DISTRICT, JUL 16 2003 a corporation, et al., ŧ\$ ()  $\mathcal{I}|G$ 1 1 - 2

The following background information is provided to aid in understanding the reasons for and what is required by this Order:

- The Court has ordered that certain persons and entities be included as parties in thus action because they own water rights within one or more of the nine categories set forth in Participal 3 of the Court's April 18, 2000 Case Management Order.
- 2. It is possible that some of the specific persons or entities who are served with a Warver of Service of Notice in Lieu of Summons, Notice of Lawsuit, or a Notice in Lieu of Summons do not belong in this action, because, for example, they may have sold or otherwise conveved the ownership of all water nights subject to this action prior to being served.
- A change in ownership of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions, such as convergence to an intervivos trust or a limited liability company. Frequently, changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding, they may be accomplished by an order of a court. These examples are not an exclusive list of all of the

ORDER - PISCLAIMER OF INTEREST, page 1 of 4

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ways in which a change in ownership may occur.

4. It important that the Court and the Plaintiffs be notified if a person or entity who receives service by mail or personal service does not, in fact, have any ownership interest in a water right in any of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order. In addition, that person or entity need not be burdened with this litigation and, if there was a change in ownership, a new party may need to be added to the action. Before any such person may be omitted from this action, certain information and documents will have to be provided to the Plaintiffs and the Court.

Based upon the foregoing, it is hereby ORDERED as follows:

If any person or entity receiving service by mail or personal service has no interest in any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000)<sup>1</sup>/, that person or entity shall notify the Court and the

You should review the Case Management Order and First Amended Counterclaims filed by the United States and by the Walker River Painte Tribe, which are included in the materials served upon you. For convenience, the nine categories of persons and entities that the Court has ordered to be served and named are listed here:

- 1. Category 3.a.: The successors in interest to all water rights holders under the Decree (April 14, 1936), modified. Order of Entry of Amended Final Decree to Conform to Writ of Mandate, Etc. (April 24, 1940) ("Decree").
- 2. Category 3.b.: All holders of surface water rights under the laws of the States of Nevada and California in the Walker River Basin who are not presently parties to this adjudication.
- 3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by the State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith Valley), 108 (Mason Valley). 110A (Schurz Subarea of the Walker Lake Valley), and 110B (Walker Lake Subarea of the Walker Lake Valley).
- 4 Category 3.d.: All holders of permits or certificates to pump groundwater issued by the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).
- 5. Category 3.e : All users of groundwater for irrigation in California in the Walker River Basin.

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1	United States in writing of that fact.				
2	2. If such person or entity sold or otherwise conveyed ownership of all of the water				
1	rights that the person or entity once owned before they were served or otherwise brought into				
	this action, in addition to disclaiming any interest in this action, they shall include a notice				
ر.	providing the following information:				
E	A. The name and address of the person or entity who sold or otherwise conveyed ownership;				
7 8	B. The name and address of each person or entity who acquired ownership; and				
9	C. A copy of the deed, court order or other document by which the change in ownership was accomplished.				
. บ	3. The disclaimer and notice shall be sent to the Court and counsel for the United				
. 1	States, addressed as follows:				
. 5	Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, NV 895501				
.3	Susan L. Schneider United States Department of Justice P.O. Box 756 Littleton. CO 80160				
-	The form and substance of the disclaimer and notice shall substantially conform				
. €	to the form attached to this Order as Exhibit A.				
. 9 . 7	5. Following their receipt from any person or entity disclaiming any interest in any				
22	6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws of the State of Nevada within the Walker River Basin.				
33 24	7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin who currently use groundwater.				
2.5 2.5	8. Category 3.h.: All municipal providers in California within the Walker River Basin who currently use groundwater.				
27 28	currently use groundwater.				
<u>.</u>	ORDER - DISCLAIMER OF INTEREST, page 3 of 4				

# 

of the water rights at issue in this case of a Waiver of Service of Notice in Lieu of Summons and any Disclaimers of Interest and accompanying information and documents sought by this Order, Plaintiffs will review the materials received and, if appropriate, seek the Court's concurrence in omitting that person or entity filing such materials from this case.

- 6. If Plaintiffs do not receive a Waiver of Service of Notice in Lieu of Summons and must personally serve a person or entity that subsequently files a Disclaimer of Interest pursuant to this Order, Plaintiffs will also review the materials received and, if appropriate, seek the Court's concurrence in omitting the person or entity from this case, but that person or entity may be subject to paying the costs related to formal personal service on them.
- Despite the above provisions, any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.
- Any person or entity subject to service under the Federal Rules of Civil Procedure who receives notice of this action in the manner provided by Federal Rule of Civil Procedure 4(d) remains subject to the duty to avoid unnecessary costs of serving the summons, even if that person or entity ultimately disclaims any ownership interest in any of the water ngins described by Paragraph 3 of the Court's April 18, 2000 Case Management Order.

Dated 12003.

The Honorable Robert A. McQuaid, Jr. United States District Court Magistrate Judge

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water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Suramons or by a Notice in Lieu of Summons, the undersigned provides the following additional information: The name and address of the party or parties who sold or otherwise conveyed 1. ow tership. Name(s): BAY TWESTWENT PROPORTIES LLC
Street or P.O. Box: 1080 GANAL TINE Town or City: GARDAOU, IR F State: Zip Code: 89410 The name and address of each person or entity who acquired ownership Name(s): Bell, WAX R FOURDEZ JANET Sucer or P.O. Box: 4609 DOWNING OT Town or City: Grante Bay State: Zip Code: 95744

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

# Casese737-20-001227-18-05-00127-18-05-00127-18-00127-18-00127-18-00127-18-00127-18-00127-18-00127-18-00127-18-00127-18-00127

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[ (	by which the change in ownership was accomplished.	
. ]	4. The undersigned acknowledges that any person or entity who files a Disclain	ner
	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequen	itly,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, b	out,
   • <b> </b>	we that has water rights subject to this litigation, shall nevertheless be bound by the results of	of
	About California Care	
10	Precuted this 26th day of WASCH 2007.	
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[name, if applicable, of person acting on behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

[address]

[telephone number]

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

#### RESOLUTION

# A RESOLUTION SETTING THE NEW WATER CONSUMPTIVE USE PROFILE FOR THE DAYTON WATER UTILITY

RECEIVED

WHEREAS, the County of Lyon operates and maintains a Water
LYON COUNTY UTILITIES
Utility Service Area within the Dayton Valley Ground Water Basin;

WHEREAS, customer water use data indicates consumptive use is below 1.12 acre-fect per year;

WHEREAS, Capital Engineering prepared the Water

Consumptive Use Profile Study, a comprehensive study of the Dayton Water

Utility;

WHEREAS, on October 11, 2001, the State Department of Conservation and Natural Resources, Division of Water Resources (State) approved water rights dedication requirements;

WHEREAS, the County of Lyon has determined at this time to establish common water rights dedication requirements as approved by the State;

#### NOW, THEREFORE, BE IT RESOLVED,

That beginning November 16, 2001 the Board of Lyon County Commissioners does hereby set the water consumptive use profile dedication for single family homes for the Dayton Water Utility as follows:

REQUIRED DEDICATION OF WATER RIGHTS	LOT SIZE
(ACRE-FEET)	(FEET SQUARED)
0.7	10,000 AND UNDER
0.85	OVER 10,000 AND UP TO 12,000
0.95	OVER 12,000 AND UP TO 16,000
1.12	OVER 16,000

#### PASSED, APPROVED AND ADOPTED this 15th day of November,

2001 by the following vote of the Lyon County Board of Commissioners:

AYES: Fulstone, Goodman, Hillyard, Hunewill, Milz

NAYES: O

ABESENT: C

ABSTENTIONS: O

BOARD OF LYON COUNTY COMMISSIONERS

Attest:

County Clerk

# YON COUNTY

PERMIT SHALL EXPIRE BY LIMITATION IF WORK HORIZED IS NOT COMMENCED WITH HAS 180 DAYS

Mark Bell	92 Hawk View Road, Wellington	10-191-15	3-28003 DATE 2/10/2006	Jakey Olsen Construction
Ka	92	31		

on or in the building Flood Zone C-0475 B adity evaluate to County inspectors. Inspection mouse to called for and made FR W2 SEA PAR B 20 oard must be lapt in a conspicuous place -23 (1) Sub 12-1 1 3 Set Becke: F. R-3/U Book 2 긤

Residence/Ganess

2

IMPORTANT NOTICE

by Sec. 109 of the Building Code.

I SHALL EXPIRE BY LIMITATION IT WORK IS SUSPENDED MANDONED FOR A PERIOD OF 180 DAYS AFTER WORK IS IBC 105.5 ENCED. (ONE 180 DAY EXTENSION ALLOWED)

TELEPHONE 463-6591, 577-5035 INSPECTION RECORD

	OME	INSPECTOR	qemanks
Control :	70-101-2	2-14-9/ 18× /m	
Stermati	2-17.06	100	
State or Underfloor	2-27-06	227-06 do-15-5	
"A" Flood zones requere bleeding	certicate for "omes"	flor, prior to furth	"A" Flood zones require elevation certicals for "lowest floor, prior to further respections per Section (19 of Baiding Code
Roof Sheathing	1-17-08 (JO)	Sept 1	
Sheer Net	310.06	AA	
Studo Leth	Į		
Freme, Rough Electric Rough Plumbing, Gas Test	5-2-4		Car Section
ineulation	3-9-8		411 L. TT had
Sheetrook	5-16-06	8	
Wood-Blone C. & S	40-8-8	400	
Saptic Tant/Sever Laboral			
Weter Lateral			
Sempt Weder Final Approval			Usiny Co. or GID apprount.
Local Fire Department			Commercial Permits
Mfg. Home Conversion			
Power - Gas Service	10-12-6	100	Prince actives to the security
			1

THIS BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE AND CERTIFICATE OF CONTRACTION OF THE PROPERTY OF THE MADE AND CERTIFICATE OF OCCUPANCY ISSUED. THIS CARD WHEN SYCHAED CONSTITUES C. of O. FOR SINGLE FAMILY RESIDENCE AND ACCESSORY.

FINAL INSPECTION

Moon

BUILDING AS PECTOR

N. Campbelthy S. Mera S.

Parcel Number 010-191-15 LY Prior Parc # 010-191-11 Changed 3/30/94
Last Updated 6/09/06 By ESINGLEY Created by split; Primary # 010-191-17
Ownership 3.73-cv-00127-RCJ-WGC DodFfridehopmFledFitDepropries Page 23 of 98
Owne Case 3:73-cv-00127-RCJ-WGC Dock for the how Fled To Provide Bell, MARK R/FERNANDEZ, JANET Force Asset Notice
Assessed Owner BELL, MARK R/FERNANDEZ, JANET Force Ag Message
Mail Address 4609 DOWNING CT Force Label
Force Card/Aff (C/A)
City, State GRANITE BAY, CA Zip 95746-0000
Vesting Doc #, Date. 282948 9/19/2002 Yr, Bk, Pg 00 000 000 Corr Rq'd
Map Document #s RS118036 PM169778
Description # Dir Street or Other Description Unit #(s)
# Dir Street or Other Description Unit #(s)
Property Location 92 HAWK VIEW RD 12-11-23 FR W2 SE4 PAR B
Subdivision Block Lot
Town SMITH VALLEY Parcel Map ID
Property Name Confidential.,
Remarks
Parcel # Containing Descriptive/Document Data 010-191-17
Size  Total Acres  Ag Acres  M/R Acres  Total Acre
Total Acres 5.000 Square Feet
Ag Acres000 W/R Acres000
ry-scan // / rro-other runctions rrz-cancer rra-improvements/Appraisar baca
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 24 of 98

J Walk - Improvements, Use & Appraisal Data (This image has been scaled to fit the page.)

C.co.		Secured Property Roll  sconnect the against for typin butter
Harveld Militeria	nprovenients <u>Us</u> e & Appreisei	FMITH WALLEY
Owner & Descrip Legal Description Tax Years Personal Prop	Covelling Jack Sng-Fam Detacland   1 Sng-Fam Attached   0 Mult-ham Units   0	Number of Stones  Basement Square Footage [7]  Number of Bedmonts  Jumities of Battinoons  [7]

Case 3:73-cx-00127-RCJ-WGC Document 2 Filed 03/26/08 CANARY-CLIENT'S COPY PINK-WELL DRILLER'S COPY Log No., DIVISION OF WATER RESOURCES Permit No. WELL DRILLER'S REPORT Basin 107 PRINT OR TYPE ONLY Please complete this form in its entirety in DO NOT WRITE ON BACK accordance with NRS 534.170 and NAC 534.340 NOTICE OF INT 1. OWNER 2. LOCATION. PERMIT NO ... Subdivision Name WORK PERFORMED PROPOSED USE WELL TYPE ☐ Irrigation ☐ Test New Well Replace □ Recondition **Domestic** ☐ Municipal/Industrial ☐ Monitor Other... ☐ Stock Other... □ Deepen ☐ Air Abandon WELL CONSTRUCTION LITHOLOGIC LOG WO Feet Depth Drilled. Depth Cased. Water Strata Thick-Material HOLE DIAMETER (BIT SIZE) 0 Feet Inches. Inches Feet Feet CASING SCHEDULE Size O.D. (Inches) Wall Thickness (Inches) Weight/Ft. (Pounds) From (Feet) To (Feet) 8 Perforations: Type perforation. Size perforation. From feet to feet 10 feet From. feet to. feet From. feet to From... feet to. feet □ No Surface Seal: Scal Type: Neat Cement Depth of Seal. Cement Grout Pumped Placement Method: ☐ Concrete Grout ☐ Poured Yes Gravel Packed: ☐ No From.\_\_ fect to. WATER LEVEL g. feet below land surface Static water level Artesian flow. Water temperature... Quality... DRILLER'S CERTIFICATION This well was drilled under my supervision and the report is true to the 20.06 Date started... best of my knowledge. Date complated ..... WELL TEST DATA Air Lift TEST METHOD: ☐ Bailer ☐ Pump Draw Down (Feet Below Static) G.P.M. Time (Hours) Nevada contractor's license number issued by the State Contractor's Board. Nevada driller's license number issued by the Division of Water Resources, the on-site driller

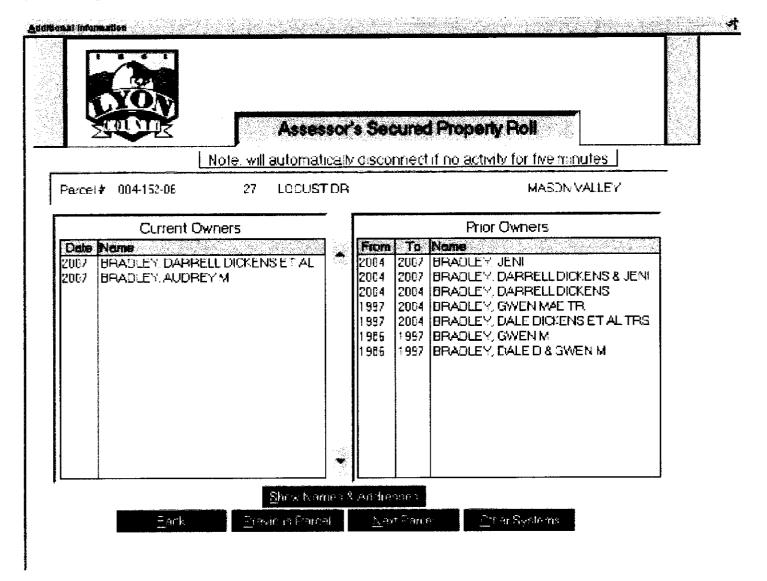
## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 26 of 98

J Walk - Ownership & Descriptive (This image has been scaled to fit the page.)

0.00	K V	ssessor's Secured Propert	yRell
	Note, will aut	omatically disconnect if no activi	ty for five minutes
Parcel Number	004-152-06	Prior Parcel#	Changed
Last Updated	19/17/07 By KLSN	Mext Parcel #	Changed
<u>T</u> ek'ru aru ≘ersunel Prop ∆g Land	Assessed Owner  Mail Address  Mactine Oce # Dete		34427-3000
Exemptions	Vesting Occ#. Date Year, Sock, Page	41 3507   E/1 C/2007	
Livestock	Map Dacument #s		Donation to the chark
Lisplay Plat Map	Force Assmt Notice		

#### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 27 of 98

J Walk - Ownership History - Names Only (This image has been scaled to fit the page.)



v=00127=RCJ-WGCGGGGL1720nt Zile4126063926/08444ge828 of 98 RECEIVED SERVLD ON HEREO. COUNSEL/PARTIES OF RECORD AUDO TOIPTEIN BUILD IN THE UNITED STATES DISTRICT COURT DISTRICT OF NEVADA FOR THE DISTRICT OF NEVADA 735/127 7 UNITED STATES OF AMERICA. 8 Plaintiff. In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE, 10 NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT Plaintiff-Intervenor. 11 ν. 12 WALKER RIVER IRRIGATION DISTRICT. 13 a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 2) 22 The name and address of the party or parties who sold or otherwise conveyed 1. ownership: 23 24 Name(s). 25

Street or P.O. Box

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

26

٠, [[	
2	Town or City State ZipCode
3	2. The name and address of each person or entity who acquired ownership
4	Name(s)
5	N/H
6	Street or P.O. Box
7	Town or City State ZipCode
8	has he had a state of the sense
9	3. Attached to or included with this notice is a copy of the (check appropriate
10	box(es)):
1)	D Court Order
12	Other Document.
13	by which the change in ownership was accomplished.
14	4. The undersigned acknowledges that any person or entity who files a Notice of
15	Change of Ownership of Water Right using this form is ultimately responsible for the accuracy
16	of this filing. Consequently, the undersigned acknowledges that any person or entity who files
i7.	
18	Joan & Conturant
19	This notice shall be sent to the following two persons:
20	
21	Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301
22	Reno, NV 89501
23	And
24	Susan L. Schneider United States Department of Justice
25	P.O. Box 756 Littleton, CO 80160
26	
27	
28	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 2 of 3

Case <sup>C</sup> 3.73	/፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟፟
1	such a notice, but retains such water rights, shall nevertheless, be bound by the results of this
2	litigation.
3	
4	Executed this 27 day of Suly 2000.
5	
6	·
7	[signature of counter-defendant]
8	
9	
10	
11	[name of counter-defendant]
12	
13	[signature, if applicable, of person acting on behalf of counter-defendant]
14	
15	
16	[name, if applicable, of person acting on behalf of counter-defendant]
17	
18	
19	
20	[address]
21	
22	[telephone number]
23	
24	
25	
26	
27	
28	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3

Case <sup>C</sup> 3:7	73-73-1-1001277-RCRAW GC DOCULTION 211-111-11-10003926/08-48-631 of 98
. 1	such a notice, but retains such water rights, shall nevertheless, be bound by the results of this
2	litigation.
3	
4	Executed this 27 day of Suly 2000.
5	
6	
7	
. 8	[signature of counter-defendant]
9	
10	
11	[name of counter-defendant]
12	
13	[signature, if applicable, of person acting on behalf of counter-defendant]
14	behalf of Counter-defendants
15	
16	[name, if applicable, of person acting on
17	behalf of counter-defendant]
18	
19	
20	[address]
21	
22	[telephone number]
23	
24	
25	
26	

28 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

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UNITED STATES OF AMERICA.

Plaintiff.

WALKER RIVER PAIUTE TRIBE,

٧.

a corporation, et al.,

Plaintiff-Intervenor.

IN EQUITY NO. CV-125-ECR

SUBFILE NO. C-125-B

ORDER REGARDING CHANGES IN OWNERSHIP

Defendants.

WALKER RIVER IRRIGATION DIS

The following background information is provided to aid in understanding the reasons. for and what is required by this Order:

The Court has ordered that certain persons and entities be included as parties to this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's Case Management Order (Apr. 18, 2000).

- During the course of this action, it is possible that a party will sell or otherwise convey ownership of all or a portion of the water rights which that party owned when brought into this action by a Waiver of Service of Notice in Lieu of Summons or by service of a Notice in Lieu of Summons.
- A change in ownership of a water right or a portion of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of some or all of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions such as conveyance to an intervivos trust or a limited liability company. Frequently changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding they may be accomplished by an order of a court. These examples are not

ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS, page 1 of 3

ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS, page 2 of 3

### Case<sup>C</sup>35:¶3:78v×000127=RRCR-WCPC°D008U1718nt 5ile41880629/26/0899 48fe8 34 of 98

ownership, notify the Court and the United States of the change in ownership. The notice required by this Order shall provide the following information: 2. 2 The name and address of the party who sold or otherwise conveyed A. 3 ownership; 4 The name and address of each person or entity who acquired ownership; B. 5 and 6 A copy of the deed, court order or other document by which the change in C. 7 ownership was accomplished. 8 The notice shall be sent to the Court and counsel for the United States addressed 3. . 9 as follows: 10 Linda Lea Sharer, Chief Deputy Clerk 12 United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 12 Reno, NV 89501 13 Susan L. Schneider Unites States Department of Justice 14 P.O. Box 756 Littleton, CO 80160 15 The form and substance of the notice shall substantially conform to the form of 1.5 notice attached to this order as Exhibit A. Any person or entity who files a Notice of Change of Ownership of Water Right: 5. 15 using the attached form or provides information for this purpose by other means is ultimately. ٠. د responsible for the accuracy of this filing. Consequently, any person or entity who files such a 25 notice regarding water rights subject to this litigation, but retains such water rights, shall nevertheless be bound by the results of this litigation. 22 IT IS SO ORDERED: 23 2003. 24 25 The Honorable Robert A. McQuaid, Jr. 26 United States District Court Magistrate Judge 27

ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS, page 3 of 3

Jermalen M.U. 89447



Parcel Number 014-601-01 LY	
Last Updated 12/07/06 By ERIN Owner 3:73-cV-00127-RC	J-WGC Document 2. Filed 03/26/08 Page 36 of 9
Legal Owner CARTWRIGHT, J	JOAN E Force Assmt Notice
Assessed Owner CARTWRIGHT,	JOAN E Force Ag Message
Mail Address 23 WILLHOYT I	Force Label
	Force Card/Aff (C/A)
City, State YERINGTON, N	Zip 89447-0000
Vesting Doc #, Date. <b>266278</b>	9/21/2001 Yr, Bk, Pg 00 000 000 Corr Rq'd
Map Document #s	<del></del>
Description	treet or Other Description Unit #(s)
# Dir St	treet or Other Description Unit #(s)
Property Location 23 WILI	LHOYT LN
Subdivision	Block Lot
Town MASON VALLEY	Parcel Map ID
Property Name	Confidential
Remarks	
Parcel # Containing Descriptive/Do	
, Size, , , , , , , , , , , , , , , , , , ,	quare Feet 0
Total Acres <u>1.250</u> So	quare Feet0
nd ucres	/ 1/ 1/01/05::::::
F9=Scan >/< > F10=Other Function	ns F12=Cancel F14=Imprvmnts/Appraisal Data
F15=Legal Description F16=Misc I	Notes F17=Factoring History F20=Tax Years
F21=Personal Property F22=Ag La	and F23=Exemptions F24=Livestock Counts

F23=Exemptions F24=Livestock Counts

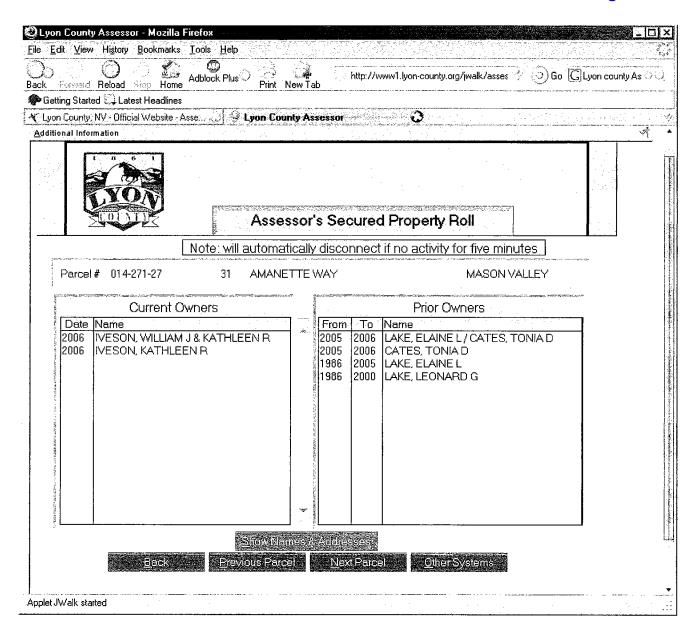
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years

F21=Personal Property F22=Ag Land

## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 38 of 98

🕲 Lyon County Assessor - Mozilla Firefox
File Edit View History Bookmarks Tools Help
Back Forward Reload Stop Home Adblock Plus Print New Tab http://www1.lyon-county.org/jwalk/asses OG GLyon county As
Getting Started ☐ Latest Headlines
Lyon County, NV - Official Website - Asse. J 9 Lyon County Assessor
Additional Information
Assessor's Secured Property Roll
Note: will automatically disconnect if no activity for five minutes
Parcel Number 014-271-27 Prior Parcel # Changed
Last Updated 11/08/07 By IJMCGUIRE Next Parcel # Changed
Description   Description   Sizes
Reader (obtain) Adobe Applet JWalk started

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 39 of 98



## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 40 of 98

🕲 Lyon County Assessor - Mozilla Firefox
File Edit View History Bookmarks Tools Help
Back Forward Reload Stop Home Adblock Plus Print New Tab http://www1.lyon-county.org/jwalk/asses OG CLyon county As
Getting Started
Lyon County, NV - Official Website - Asse. 👙 Lyon County Assessor
Additional Information
Assessor's Secured Property Roll
Note: will automatically disconnect if no activity for five minutes
Parcel # 1014-271-27 31 AMANETTE WAY MASON VALLEY
Improvements   Use & Appraisal Data   User-Defined

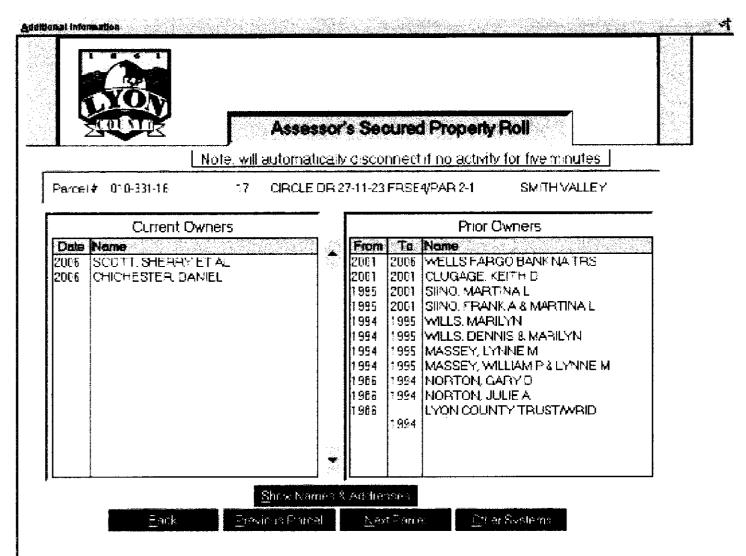
### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 41 of 98

J Walk - Ownership & Descriptive (This image has been scaled to fit the page.)

<b>200</b>	us groves in the man for a	essor's Secured Prop	5
Parcel Number	Note, will auton 	Prior Percel#  Next Parcel#	Changed  Changed
novements eld pet Decimpt im Lex Yortins preunet Prop	Assessed Owner Mail Address	SCOTT, SHERRY ET AL SCOTT, SHERRY ET AL 17 CIRCLE DR WELLINGTON, NV	Cwneiship History  89444-0000
Ag Land Ekemptions Livestock	Vesting Occ#. Date Year, Sook, Page	382797 [5/23/2006] 06   000   000 PM129012	Quartient in Corp.

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 42 of 98

J Walk - Ownership History - Names Only (This image has been scaled to fit the page.)



### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 43 of 98

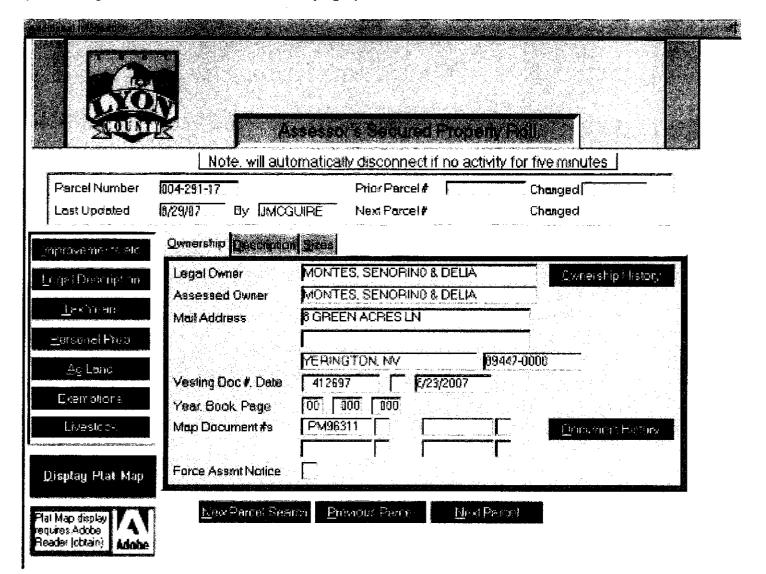
J Walk - Improvements, Use & Appraisal Data (This image has been scaled to fit the page.)

₩ 1000 ₩ 1000	Assessor's	Secured Property Fiol	
	Note: will automatically di	sconnect if no activity for five minutes	
Parcel# (018-331-16	17   GIBCLE DB 27-11	1-23 FRSE4/PAR 2-1 SMITH VALLEY	
i disert Killia (1)	1 OF ROWALL DISEASE.	TENTINGE HELDESET SERVICE CONTRACT	
	<b>↓</b>		
	mprovements Use & Appreisal D	Date User-Delined	
Owner & Descrip			***
Legal Description			
	Brandling Haits	Newtony of Charles 1 1	
rede reambrait	Dwelling Units	Number of Stories 10	
<u>T</u> axirears	Sngl-Fam Deteched	Basement Square Footoge	
<u>T</u> exiveors	I		-
	Sngl-Fam Deteched	Basement Square Footoge	<b>-</b>
<u>T</u> exivears	Sngl-Fam Deteched 1 Sngl-Fam Attached 0	Basement Square Footoge  Number of Bedrooms 3 Number of Bathrooms 2:00	<b>-</b> -
	Sngl-Fam Detached [1 Sngl-Fam Attached [9 Mult-Fam Units [0] Mobile Homes [0]	Basement Square Footage   1	- -
∐exineors ⊇ersonst Prop	Sngl-Fam Detached 1 Sngl-Fam Attached 0 Mult-Fam Units 0	Basement Square Footoge  Number of Bedrooms 3 Number of Bathrooms 2:00 Mobile Home Hookups 3 Wells 1	<b>-</b> 
	Sngl-Fam Detached [1 Sngl-Fam Attached [9 Mult-Fam Units [0] Mobile Homes [0]	Basement Square Footoge  Number of Bedrooms 3 Number of Bathrooms 2:00 Mobile Home Hookups 3 Wells 1 Soptic Tenks 1	<b>-</b>
∐exinears BersonstiPrep <u>Ag</u> Land	Sngl-Fam Deteched [] Sngl-Fam Attached [] Mult-Fam Units [] Mobile Homes [] Total Dwelling Units [] Non-Dwelling Units []	Basement Square Footoge  Number of Bedrooms 3 Number of Bathrooms 2 00 Mobile Home Hookups 3 Wells 1 Soptic Tanks 1 Building Square Footoge 1.594	<b>-</b>
Personal Prop Agitano Examplier y	Sngl-Fam Detached [1] Sngl-Fam Attached [0] Mult-Fam Units [0] Mobile Homes [0] Total Owelling Units [1]	Basement Square Footoge  Number of Bedrooms 3 Number of Bathrooms 2 00 Mobile Home Hookups 3 Wells 1 Soptic Tanks 1 Building Square Footoge 1.594	<del>-</del>

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 44 of 98

J Walk - Ownership & Descriptive

(This image has been scaled to fit the page.)



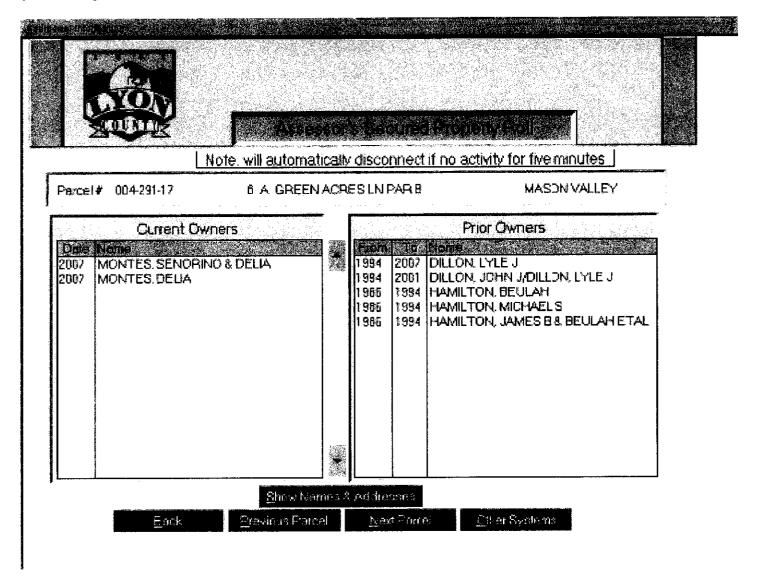
### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 45 of 98

J Walk - Improvements, Use & Appraisal Data (This image has been scaled to fit the page.)

		nect if no activity for five minutes
Parcel # 004-291-17	mprovements Use e ampliaise dans	2007-24-20-24-24-24-24-24-24-24-24-24-24-24-24-24-
Owner & Description  Legal Description  Toxine or   Perprinal Prina  April and  Lean above  Livestock	Dwelling Units  Sngl-Fam Detached [1]  Sngl-Fam Attached [0]  Mult-Fam Units [0]  Mobile Homes [0]  Total Owelling Units [0]  Garage Attached/Detached (A/D)  Garage Square Footage	Number of Stories 10 Basement Square Footage 0 Number of Bedrooms 2 Number of Baserooms 2 90 Mobile Home Hookups 0 Wells 1 Saptic Tenks 1 Building Square Footage 1,000

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 46 of 98

J Walk - Ownership History - Names Only (This image has been scaled to fit the page.)



# ' Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 47 of 98

1.				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA, )			
4	Plaintiff, )			
5	WALKER RIVER PAIUTE TRIBE, ) IN EQUITY NO. C-125			
6	) Plaintiff-Intervenor, ) SUBFILE NO. C-125-B			
7	vs.			
8 9	WALKER RIVER IRRIGATION DISTRICT, ) a corporation, et al.,			
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE			
11				
12	1. I hereby enter my appearance in this sub-proceeding in this case.			
13	2. I am filing this document with the District Court at the following address:			
14	Chief Deputy Clerk United States District Court for the			
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of			
17	Summons, I am mailing a copy of this document to:			
18	Susan L. Schneider			
19	Attorney for the United States of America United States Department of Justice			
20 21	Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections			
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent			
	me in these proceedings, I identify that attorney below, along with his or her mailing address,			
26				
27	telephone number, and facsimile number:			

### -cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 48 of 98 Attorney: N/A Address: 70 Owens PL. RD, Wellington, NV. 8945.4 Phone Number: 775 465-9927 Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 49 of 98

2		
3	IN THE UNITED STA FOR THE DIST	TES DISTRICT COURT RICT OF NEVADA
4	and the second s	
5	UNITED STATES OF AMERICA, ( )	
6	Plaintiff, )	In Equity No. C-125-ECR Subfile No. C-125-B
7	WALKER RIVER PAIUTE TRIBE,	
8	Plaintiff-Intervenor, )	•
9	v. )	RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER
10	WALKER RIVER IRRIGATION ) DISTRICT,	DISCLAIMER
12	a corporation, et al.,	
13	Defendants. )	· <u>-</u>
14		
15	The undersigned counter-defendant in the	he above action hereby notifies the Court and the
16		ty on whose behalf the undersigned is acting) has
17		
18	no interest in any water right within the catego	ories set forth in Paragraph 3 of the Case
	Management Order (Apr. 18, 2000) and, there	fore, disclaims all interest in this action.
19 20	This disclaimer and notice shall be sent	to the following two persons:
21	Linda Lea Sharer, Chief Deputy	y Clerk
	United States District Court for	the District of Nevada
22	400 South Virginia Street, Suite Reno, NV 89501	e 301
23		
24	<u>And</u>	
25	Susan L. Schneider United States Department of Jus	ctice.
26	P.O. Box 756	51100
27	Littleton, CO 80160	
28	In addition, because the undersigned solo	d or otherwise conveyed ownership of all of the
	DISCLAIMER OF WATER RIGHTS AND NOTICE	OF RELATED INFORMATION, page 1 of 4

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 50 of 98

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s): Ukeron In the All.

A purchased the preparing at 10 Owens II.

Street or P.O. Box Cappur 3 42 years ago from a Morth + Trum,

Owens. No Water Rights were included.

Town or City: there rights or when they were rold,

by who, to who or when.

State:

Zip Code:

2. The name and address of each person or entity who acquired ownership

Name(s): Unle. to me. Eml.

Street or P.O. Box:

Town or City:

State:

Zip Code:

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 51 of 98

_	
2	3. Attached to or included with this notice is a copy of the (check appropriate
3	box(es)):
4	
5	□ Deed
6	
7	Court Order
8	Other Document.
ۏ	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaime
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, bu
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15	this litigation.
16	
<u>-</u> -	Executed this 9th day of 200 6
Ξε	
19	
20	
21	Loldun
22	[signature of counter-defendant]
23	
24	
25	
25	[name of counter-defendant]
1	[mano or counter defendant]
27	
28	

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 52 of 98

[name. if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] [address] <u>.</u>7 [telephone number] 

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 53 of 98

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	Assessed Owner	DUNN, LEO PATRICK	TR		254445	A STATE OF S
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## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 54 of 98

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1					
2	IN THE UNITED STATES FOR THE DISTRICT				
3	UNITED STATES OF AMERICA,	)			
4	Plaintiff,	,			
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125			
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B			
7	VS	)			
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) )			
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE			
11					
12	1. I hereby enter my appearance in this su	•			
13	2. I am filing this document with the Dist	trict Court at the following address:			
14	Chief Deputy Clerk United States District Court for the District of Nevada				
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501				
16	3. In the envelope provided for return of	my Waiver of Service of Notice in Lieu of			
17	Summons, I am mailing a copy of this document to:				
18	Susan L. Schneider				
19	Attorney for the United States of Amer United States Department of Justice	rica .			
20	Environment & Natural Resources Div P.O. Box 756	rision			
21	Littleton, Colorado 80160				
22	4. I (or the entity on whose behalf I am ac	eting) will retain all defenses or objections			
23	to the lawsuit or to the jurisdiction or venue of the cou	urt except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am ac	ting) have retained an attorney to represent			
26	me in these proceedings, I identify that attorney below	w, along with his or her mailing address,			
27	telephone number, and facsimile number:				
28		·			
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# Case 3:73 cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 56 of 98

- 1					
1		Attorney:			
2			•		
3		Address:			
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6		Phone Number:	•		
7		Fax Number:			
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9					(Signature)
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11					Lorrie K Edney
12					(Printed or typed Name)
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15	:				(Entity, if any, on whose
16					behalf you are appearing)  Diniter Ridge Rel
17				•	Wellington NV89444
18					(Address)
19					(775) 465-2464
					(Telephone number)
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		CERTIFIED TO SERVICE T
1		ERED ERED
2	IN THE UNITED STATES D FOR THE DISTRICT O	ISTRICT COURTED PORTING TO THE PROPERTY OF THE
3	UNITED STATES OF AMERICA.	
4	Plaintiff,	) A PUST SERVICE OF SE
5	WALKER RIVER PAIUTE TRIBE,	)
. 6		) SUBFILE NO. C-125-B
7	Plaintiff-Intervenor,	) SOBFILE NO. C-125-B
8	vs.	) }
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) )
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	annoceeding in this case
12	2. I am filing this document with the Distri	· -
13		tet Court at the following adoress.
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16		y Waiver of Service of Notice in Lieu of
1.7	Summons. I am mailing a copy of this document to:	
: 9	Susan L. Schneider Attorney for the United States of America	ca .
20	United States Department of Justice Environment & Natural Resources Divis P.O. Box 756	ion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of th	e Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am actir	ng) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below,	along with his or her mailing address,
2.7	telephone number, and facsimile number:	
2:8		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	CIPATE, page 1 of 2

1	Attorney:	
2		
3	Address:	
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5		•
6	Phone Number:	
7	Fax Number:	7 13
8		- fin fea
9		(Signature)
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11		(Printed or typed Name)
12		(Printed or typed Name)
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14		/Fating if any analysis
15		(Entity, if any, on whose behalf you are appearing)
15		20 Miller Ridge Rel Wellington NV 887444
17		Wellington NV 387444 (Address)
13		775 465-2464
19		(Telephone number)
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### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 59 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I	(or the entity on whose beha	alf I am acting) will retain	n all defenses or	objections to the la	wsuit
	isdiction or venue of the Cou				
	or in the service of the Notice			3	

Date: 10/1/07

RICHARD

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: \_\_\_\_\_(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

9912<del>7 FRCMV GC 1968</del>4175Ent 12448563936/081212660 of 98 SERVEDON PARTIES TH RECORD ENTERED THE UNITED STATES DISTRICTURED STATES IN FOR THE DISTRICT OF NEVADA IN EQUITY NO. C-125 AMERICA. SUBFILE NO. C-125-B Plaintiff, WALKER RIVER PAIUTE TRIBE. ORDER - DISCLAIMER OF INTEREST Plaintiff-Intervenor, 1.3111. 1 5 2003  $\dot{\mathsf{R}}$ VS Ļ, WALKER RIVER IRRIGATION DISTRIC a corporation, et al., 1.0 . 2

The following background information is provided to aid in understanding the reasons to and what is required by this Order:

- The Court has ordered that certain persons and entities be included as parties in this action because they own water rights within one or more of the nine categories set forth in Pagagraph 3 of the Court's April 18, 2000 Case Management Order.
- It is possible that some of the specific persons or entities who are served with a Warver of Service of Notice in Lieu of Summons, Notice of Lawsuit, or a Notice in Lieu of Summons do not belong in this action, because, for example, they may have sold or otherwise conveyed the ownership of all water rights subject to this action prior to being served.
- A change in ownership of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of the hard on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions, such as conveyance to an intervivos trust or a limited liability company. Frequently, changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding, they may be accomplished by an order of a court. These examples are not an exclusive list of all of the

ORDER - DISCLAIMER OF INTEREST, page 1 of 4

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- 3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by he State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith Valley), 108 (Mason Valley). 110A (Schurz Subarea of the Walker Lake Valley), and 110B (Walker Lake Subarca of the Walker Lake Valley).
- 4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).
- 5. Category 3.e.: All users of groundwater for irrigation in California in the Walker Fiver Basin.

ORDER - DISCLAIMER OF INTEREST, page 2 of 4

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<u> </u>	Smird States in writing of that fact
<b>&gt;</b>	2. If such person or entity sold or otherwise conveyed ownership of all of the water
3	rights that the person or entity once owned before they were served or otherwise brought into
4	this action, in addition to disclaiming any interest in this action, they shall include a notice
5	providing the following information:
б	A. The name and address of the person or entity who sold or otherwise conveyed ownership;
7   8	B. The name and address of each person or entity who acquired ownership; and
à	C. A copy of the deed, court order or other document by which the change in ownership was accomplished.
.0	The disclaimer and notice shall be sent to the Court and counsel for the United
. 1	States, addressed as follows:
.2 .3	Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, NV 895501
	Susan L. Schneider United States Department of Justice P.O. Box 756 Littleton. CO 80160
. E	The form and substance of the disclaimer and notice shall substantially conform
	to the form attached to this Order as Exhibit A.
- 9- - 0	5. Following their receipt from any person or entity disclaiming any interest in any
12	6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws of the State of Nevada within the Walker River Basin.
13 14	7 Category 3.g.: All municipal providers in Nevada within the Walker River Basin who currently use groundwater
25 26	8. (Jategory 3.h.: Al) municipal providers in California within the Walker River Basin who currently use groundwater.
27	9 Category 3.i.: All industrial esers in Nevada within the Walker River Basin who currently use groundwater.
	N.

ORDER - DISCLAIMER OF INTEREST, page 3 of 4

Procedure who receives notice of this action in the manner provided by Federal Rule of Civil
Procedure 4(d) remains subject to the duty to avoid unnecessary costs of serving the summons
even if that person or entity ultimately disclaims any ownership interest in any of the water
rights described by Paragraph 3 of the Court's April 18, 2000 Case Management Order.
IT IS SO ORDERED:

2003.

The Honorable Robert A. McQuaid, Jr. United States District Court Magistrate Judge

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water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
Summons or by a Notice in Lieu of Summons, the undersigned provides the following
additional information.
1. The name and address of the party or parties who sold or otherwise conveyed
ownership:
Name(s): BAY TWESTWENT DEPOTIES LLC
Sucretor P.O Box: USO CANAL TIME
Town or City. GARDNEWille
State W
Zip Code: 8440  The name and address of each person or entity who acquired ownership
Namers): FETNANDEZ, JANET Bell, WARK R
Sheet on P.O. Box: 4464 DOWNING CT.
Town or Cin: GEANITE BAY
State: CA
Zip Code: 39 95-746

}	
	3. Attached to or included with this notice is a copy of the (check appropriate
3	box(es)):
-	
5   6	[] Decd
$\frac{1}{2}$	[] Court Order
3	Other Document. (250/4774) CREW CONSTRUCTION)  BUILDING PERMIT
9 10	by which the change in ownership was accomplished.
]	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
_ <sub>5</sub>	ë ∮this Buganon.
10	executed this 20th day of warch 2007.
- 8.	
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21	[signature of counter-defendant]
2.2	a contract of the contract of
ک ک	Jant Derhandy
24	JANET FOR ANDEZ
25	[name of counter-defendant]
26	
27	M .
2₿	
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

## Cases:737204001727FRC9MV @@@@dd1f1&ntF2ef186663926/039726/03972666 of 98

į [name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on 8 behalf of Counter-Defendant] 1 10 : 7 12 3.4 [address] 10 1. 7 13 [telephone number]  $\pm 30$ \_ 0 7.1 23 24 2.5

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

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2: 7

#### RESOLUTION

# A RESOLUTION SETTING THE NEW WATER CONSUMPTIVE USE PROFILE FOR THE DAYTON WATER UTILITY

RECEIVED

WHEREAS, the County of Lyon operates and maintains a Water
LYON COUNTY UTILITIES
Utility Service Area within the Dayton Valley Ground Water Basin;

WHEREAS, customer water use data indicates consumptive use is below 1.12 acre-feet per year;

WHEREAS, Capital Engineering prepared the Water

Consumptive Use Profile Study, a comprehensive study of the Dayton Water

Utility;

WHEREAS, on October 11, 2001, the State Department of Conservation and Natural Resources, Division of Water Resources (State) approved water rights dedication requirements;

WHEREAS, the County of Lyon has determined at this time to establish common water rights dedication requirements as approved by the State;

#### NOW, THEREFORE, BE IT RESOLVED,

That beginning November 16, 2001 the Board of Lyon County Commissioners does hereby set the water consumptive use profile dedication for single family homes for the Dayton Water Utility as follows:

## 

REQUIRED DEDICATION OF WATER RIGHTS	LOT SIZE
(ACRE-FEET)	(FEET SQUARED)
0.7	10,000 AND UNDER
0.85	OVER 10,000 AND UP TO 12,000
0.95	OVER 12,000 AND UP TO 16,000
1.12	OVER 16,000

### PASSED, APPROVED AND ADOPTED this 15th day of November,

2001 by the following vote of the Lyon County Board of Commissioners:

AYHS: Fulstone, Goodman, Hillyard, Hunewill, Milz

NAYES: O

ABESENT: C

ABSTENTIONS: O

BOARD OF LYON COUNTY COMMISSIONERS

\_\_\_

By: Chairman

Attest

County Clerk

# LYON COUNTY 0 SNIC

2/10/2005 PERMIT SHALL EXPIRE BY LIMITATION IF WORK HORIZED IS NOT COMMENCED WITHIN 180 DAYS 92 Hawk View Road, Weilington JELLY OLSES CORPETU C ELOR DATE 51-161-01 Mark Bell 1-28003

on or in the building welly everlette to Courty Impediors. Impediation irrust be oaked for and made Frood Zone C-0475 B FR WZ SE4 PAR B 2 2 ecald must be kept in a conspicuous place at Sub 12-1 1-23 (J) Basidence/Gesses 2 Set Backos: F ... R-3/U Š 긬

by Sec. 108 of the Building Code.

EXPIRE BY LIMITATION IF WORK IS SUSPENDED **19C 105.5** ENCED (ONE 180 DAY EXTENSION ALLOWED) IMPORTANT NOTICE MIDONED FOR A PERIOD OF 18CO

	TELEPHONE 463-6691.577-503	TELEPHONE 463-6591.577-5035  DATE INSPECTOR	3.00 SMOWER SEOS-17
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Roof Sheathing	4-17-04 (BC-	All Market	P <u>C</u>
Sheer Net	310.06	16 9.2	
Sucoo Leth	Į	<i>T</i>	
Frame, Rough Eachty Rough Plumbho, Ger Ret	2-2-5		See Such test
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Sheetrook	5-16-06	The same	
WOOD BONG AS	40-E-8	Way.	70
Sarak Tarak/Sower Lateral	****	100	7404
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Local Fire Department			Commercial Permits
Mfg. Home Convention	1		
Douge . Cas Service	7-16-6		AD SANDER BOINGS OF THE PROPERTY OF

N. Campbellby S. Merra S.

Parcel Number 010-191-15 LY Prior Parc # 010-191-11 Changed 3/30/94
Last Updated 6/09/06 By ESINGLEY Created by split; Primary # 010-191-17 Owne 3:73-cv-00127-RCJ-WGC Dogs ment at led 10-3626 668 Page 70 of 98
Legal Owner BELL, MARK R/FERNANDEZ, JANET Force Assmt Notice
Assessed Owner BELL, MARK R/FERNANDEZ, JANET Force Ag Message
Mail Address 4609 DOWNING CT Force Label
Force Card/Aff (C/A)
City, State GRANITE BAY, CA Zip 95746-0000
Vesting Doc # Date 282948 9/19/2002 Yr. Rk. Pg 00 000 Corr Rg'd
Map Document #s RS118036 PM169778
Map Document #s RS118036 PM169778  Description
# Dir Street or Other Description Unit #(s)
Property Location 92 HAWK VIEW RD 12-11-23 FR W2 SE4 PAR B
Subdivision Block Lot
Town SMITH VALLEY Parcel Map ID
Property Name Confidential
Remarks
Parcel # Containing Descriptive/Document Data 010-191-17
Size
Total Acres 5.000 Square Feet 0
Size         0           Total Acres         5.000         Square Feet         0           Ag Acres         .000         W/R Acres         .000
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 71 of 98

J Walk - Improvements, Use & Appraisal Data (This image has been scaled to fit the page.)

Grove Grove	Assessor's Secu	ured Property Roll	
and the second residual to the Constitution of Second residence of the second	Note will automatically disconi	nect if no activity for tween nutres	<del></del>
/ercel≯ (010-391-15	92 HAWK VEW RC	EMITH VALLEY	ii.
Tex Years  Personal Prop  Ag Land  Exemphores  Livestork	Sngt-Fam Attached  Mult-Fam Units  Mobile Homes  Total Dwalling Cods  Non-Dwalling Units	Number of Badmores   3   50   50   50   50   50   50   50	
eren er generale er		5.6	
		46° K	161

Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 72 of 98 WHITE-DIVISION OF WATER RESOURCES STATE OF NEVADA CANARY-CLIENT'S COPY Log No. DIVISION OF WATER RESOURCES PINK-WELL DRILLER'S COPY Permit No. WELL DRILLER'S REPORT Basin 107 PRINT OR TYPE ONLY Please complete this form in its entirety in DO NOT WRITE ON BACK accordance with NRS 534.170 and NAC 534.340 1. OWNER. 2. LOCATION... PERMIT NO. Issued by Water Resources Subdivision Name WORK PERFORMED PROPOSED USE WELL TYPE New Well Replace ☐ Recondition Domestic Domestic ☐ Irrigation ☐ Test ☐ Cable Rotary ☐ RVC Deepen Other... ☐ Abandon ☐ Municipal/Industrial ☐ Monitor ☐ Stock ☐ Air Other... LITHOLOGIC LOG WELL CONSTRUCTION L/O Feet Depth Cased. Depth Drilled. Thick-Material HOLE DIAMETER (BIT SIZE) മ 140 Feet Inches. Feet Inches. FeeL CASING SCHEDULE Size O.D. (Inches) Weight/Ft. (Pounds) Wall Thickness (Inches) To (Feet) 70 120 /5 Perforations: Type perforation. Size perforation... From..... feet to. feet From. feet to. feet 20 From. feet to .feet From. feet to. .feet From.. feet to. .feet □ No Surface Seal: Seal Type: Neat Cement Depth of Seal. Cement Grout Placement Method: Pumped ☐ Concrete Grout ☐ Poured Gravel Packed: □ No From 140 feet to WATER LEVEL Static water level feet below land surface Artesian flow Water temperature. セレン ひし Quality. DRILLER'S CERTIFICATION This well was drilled under my supervision and the report is true to the Date started...... 18...... 20 06 Date complated ..... WELL TEST DATA TEST METHOD: ☐ Bailer Air Lift ☐ Pump Draw Down (Feet Below Static) G.P.M. Time (Hours) Nevada contractor's license number issued by the State Contractor's Board, Nevada driller's license number issued by the Division of Water Resources, the on-site driller

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/29/68 12853/3 of 98

APN: 012-351-05

Grantee's Address: Ruth Ellen Bobrick, et al 8 Tognoli Lane Yerington, NV 89447

After recording mail to: William L. Carpenter, Esq. 215 W. Bridge Street, #3 Yerington, NV 89447 Official Record
Requested By
MILLIAM CARPENTER

Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 3 Fee: \$16.00
Recorded By: CDL RPTT:



#### **EXECUTOR'S DEED**

THIS INDENTURE, effective this 2/ day of Une., 2006, between RUTH ELLEN BOBRICK and LYNN FRANCES HUMPHREYS, the duly appointed, qualified and acting Co-Executors of the Last Will and Testament of HELEN INEZ FRIEDHOFF, aka HELEN S. FRIEDHOFF, aka HELEN FRIEDHOFF, deceased, the party of the first part, and RUTH ELLEN BOBRICK, as to an undivided one-half interest, and LYNN FRANCES HUMPHREYS, as to an undivided one-half interest, the party of the second part.

#### WITNESSETH:

WHEREAS, pursuant to the Order Settling First and Final Account of Co-Executors, Petition for Distribution, Attorney's Fees and Costs and Discharge of Executor, entered by the Third Judicial District Court of the State of Nevada in and for the County of Lyon, In the Matter of the Estate of Helen Friedhoff, deceased, Case No. PE6811, on the 8th day of May, 2006, the transfer of the real property hereinafter described to the party of the second part was approved and ratified.

NOW THEREFORE, the said RUTH ELLEN BOBRICK and LYNN FRANCES HUMPHREYS, as Co-Executors of the Last Will and Testament of HELEN INEZ FRIEDHOFF, aka HELEN S. FRIEDHOFF, aka HELEN FRIEDHOFF, deceased, as aforesaid, the party of the first part, pursuant to said Order of the said District Court, do hereby grant and convey unto the said party of the second part, as tenants in common, all right, title, interest and estate of the said HELEN INEZ FRIEDHOFF, deceased, at the time of her death, and also all the right, title and interest that the said estate, by operation of law or otherwise, may have acquired other than, or in addition to, that held by the deceased at the time of his death, in and to the certain lot, piece or parcel of land situate, lying and being in the County of Lyon, State of Nevada, more particularly described as follows:

# Case 3:73-cv-00127-RCJ-WGC Dommin Man 03/26/94 Page 7/49 98

APN: 012-351-05

The W ½ of SE 1/4 of Section 23, Township 12 North, Range 25 East, M.D.B.&M., together with all water and water rights, ditches and ditch rights appurtenant thereto used in connection therewith.

TOGETHER WITH, all and singular, the tenements, hereditament's and appurtenances, including easements and water rights, if any, thereunto belonging or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD all and singular, the above mentioned and described premised, together with the appurtenances, unto the said party of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, the party of the first part, as Co-Executors as aforesaid, has executed these presents effective the day and year first above written.

RUTH ELLEN BOBRICK, Executor

LYNN FRANCES HUMPHREYS, Executor

STATE OF NEVADA

**COUNTY OF LYON** 

) ) ss.

On the 10 that, 2006, personally appeared before me, a notary public, RUTH ELLEN BOBRICK, known to me or proven to me to be the person described in and who executed the above and foregoing instrument, who acknowledged that she executed it freely and voluntarily for the uses and purposes mentioned.

JANICE SHIPLEY
Notary Public - State of Neverda
Appointment Recorded in Lyon County
No: 99-3558-12 - Expires April 28, 2007

Thrice Shypley Notary Public

COUNTRY OF NEVADA ) ss.

COUNTY OF washed )

On the 21st day of Tune, 2006, personally appeared before me, a notary

Parcel Number <b>012-351-05</b>	LY	
Last Updated 6/15/07 By 001. Owners 5: 73-CV-00127	senbery -RCJ-WGC Dogumentafi	edro3/26/08sPage 75 of 98
Legal Owner BOBRICK,	RUTH ELLEN ET AL Force A	ssmt Notice
Assessed Owner BOBRICK,	RUTH ELLEN ET AL Ford	e Ag Message —
Mail Address 8 TOGNOL	I LN Force I	abel —
	Force C	ard/Aff (C/A)
City, State YERINGTO	N, NV Zip 89	447-0000
Vesting Doc #, Date. 38530	4 6/27/2006 Yr,Bk,Pg 00 000	000 Corr Rq'd
Map Document #s		<u> </u>
Description	(FII=Addit	ional Locations).
# Dir	Street or Other Description	Unit #(s)
Property Location 66	FRIEDHOFF LN 23-12-25 W2 SE4	
Subdivision	Block	Lot
Town MASON VA	LLEY Parcel Map	
Property Name		Confidential
Remarks		<del>-</del>
Parcel # Containing Descripti	ve/Document Data	Land Use: 602
Total Acres 80.000	Square Feet 0	
Ag Acres 79.000	Square Feet 0 W/R Acres000	
F9=Scan >/< > F10=Other Fun	ctions F12=Cancel F14=Imprvmr	its/Appraisal Data
F15=Legal Description F16=M	isc Notes F17=Factoring Histor	y F20=Tax Years
F21=Personal Property F22=	Ag Land F23=Exemptions F24	=Livestock Counts

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### Case 3:73-cv-Qualizer Reserved of 98

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: ///27/07

Tedrow James Gates, Trustee

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Tedrow James and Marilynn Ruth Gates 2002 Family Trust

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-QQ1QZRBCsENVGCoDQGwment QFFileds D3/Q6/Q8 Page 77 of 98

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Marilynn Ruth Gates Date: 11/24/07

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Tedrow James and Marilynn Ruth Gates 2002 Family Trust

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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GaseC	SERVED ON SERVED ON COUNSEL/PARTIES OF RECORD OF THE COUNSEL/PARTIES OF
	WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS
TO	Susan I. Schneider attorney for the United States of America

CLERK US DISTRICT COURT

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: 1-30-08

Signature

Signature

Signature

Signature

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_\_ of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case <sup>c</sup> 3:73	73-5-00127-RCR-WGC Document 2118	HO2/06/2008 Page 7-2 ENTERED SERVED OF RECOFD
·		COUNSEL/PARTIES OF RECOFD
1		FEB - 6 MM
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	NEVADA CLEEK US DISTRICT COURT
3	UNITED STATES OF AMERICA,	DISTRICT OF NEWADA  BY: DEPLTY
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor.	) SUBFILE NO. C-125-B
7	vs.	) )
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) )
10	NOTICE OF APPEARANCE AND INTI	ENT TO PARTICIPATE
11		n
12	1. I hereby enter my appearance in this sub	
13	<ol> <li>I am filing this document with the District directed on the Notice In Lieu of Summons:</li> </ol>	t Court at the following address and as
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am actin	g) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I an	a acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorne	ey below, along with his or her mailing
22	address, telephone number, facsimile number, and e-m	ail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

# Case 3:9 5 7 6 v v 00 127 7 FRESAW GC Proclument 2 Fred 6 3 926 / 08 9 8 6 9 8

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	Les P. Simhi
12	Olyd V. Danhi
13	(Signature)
14	4.00.
15	Way P. Giouzachini (Printed or typed Name)
16	(Frinted or typed Name)
17	
18	
19	(Entity, if any, on whose behalf you are appearing)
20	154 Hudson Aurona Rd
21	South NV (Address) 89430
22	1-775_465-2414
23	(Telephone number)
24	
25	
26	
27	
28	

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 81 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2-04-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Muslie

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 82 of 98

-1	
1 2	IN THE UNITED STATES DISTRICT COURT
3	FOR THE DISTRICT COORT
4	UNITED STATES OF AMERICA,
5	Plaintiff,
6	WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125
7	Plaintiff-Intervenor, SUBFILE NO. C-125-B
8	vs.
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	<ol> <li>I hereby enter my appearance in this sub-proceeding in this case.</li> </ol>
12	<ol> <li>I am filing this document with the District Court at the following address and as</li> </ol>
L3	directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
L5   L6	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
L7	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
L8	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
۱9	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
27	
28	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 83 of 98

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	
12	
13	(Signature)
14	
15	Graver J. Dlasser
16	(Printed or typed Name)  GROVERF, GLAGNER  Shore T. Llasny Inust
17	GROVERF, GLASHILA
18	Edgreet, Llasnir must
19	(Entity, if any, on whose behalf you are appearing)
20	50 AMRERLAI.
21	YERING TON, NV
22	YERING + ON NVI (Address) 8944 775-463-2596
23	(Telephone number)
24	
25	
26	
27	

28

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 84 of 98

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: <u>7 - 30 - 08</u>	Signature  Donald H. Goede  Printed/Typed Name  If you are acting on behalf of any entity, identify that you	are
	acting as:(Title)	of
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 85 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all	defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections base	ed on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	17

Date: 1-30-08

ignature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

\_\_\_ of

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 86 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date:  $\frac{2/2/08}{}$ 

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Lordyn a Morrindo

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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# Case 3:73 cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 87 of 98

1			
2	IN THE UNITED STATES E FOR THE DISTRICT (		
3	UNITED STATES OF AMERICA,	)	
4	Plaintiff,	)	
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B	
7	VS.		
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) I Do sot profest is	
10	NOTICE OF APPEARANCE A <del>ND IN</del>	, the contract of the contract	
	Notice of in Ended to State in	22.11 10 1.21.101.112	
11	1. I hereby enter my appearance in this su	b-proceeding in this case.	
12	2. I am filing this document with the Distr	rict Court at the following address:	
13   14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16		ny Waiver of Service of Notice in Lieu of	
17	Summons. I am mailing a copy of this document to:		
18	Susan L. Schneider		
19	Attorney for the United States of Ameri United States Department of Justice		
20	Environment & Natural Resources Divi P.O. Box 756	sion	
21	Littleton, Colorado 80160	<u>/</u>	
22	4. I (or the entity on whose behalf I am act	ling) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the cou	rt except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent	
26	me in these proceedings. Identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			
- 1			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 88 of 98

1	Attorney:	
2	Address:	
3	Address:	
4		
5		
6	Phone Number:	A
7	Fax Number:	1 AM
8		Jan Hann
9		(Signature)
10		
11		John Z. Ganley
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 6421 Chystal Blod
17		El Donado Ca 95623
ŀ		(Address)
18		(530) 621-1407
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
	•	

#### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 89 of 98

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 6/16/06

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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## Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 90 of 98 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE DISTRICT OF NEVADA 7 UNITED STATES OF AMERICA. 8 Plaintiff, In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF Plaintiff-Intervenor, OWNERSHIP OF WATER RIGHT 11 12 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s) Johns R. Growlen
6421 Chystral BUS
Street of P.O. Box R. Honads, Ca 45623

27

22

23

24

25

26

Case 3!7	3-cv-001	27-RCJ-WGC Doc	ument 2 Fil	ed 03/26/08 P	age 91 of 98
2		Town or City	State	ZipCode	
3	2.	The name and address of	each person or	entity who acquired o	ownership
4					
5		4	Name(s)	/ _ 1	
6			Street or P.O. Box	country	
			253		
7		Town or City	State	ZipCode	
8		El Donado	CA	95623	
9	3.	Attached to or included w	vith this notice is	s a copy of the (check	c appropriate
	box(es)):	/			
10		Deed			<u>.</u>
11		☐ Court Order			
12		☐ Other Docum	nent.		
13	by which the	change in ownership was a	ccomplished.		
14	4.	The undersigned acknowl	edges that any p	erson or entity who f	iles a Notice of
15	Change of O	wnership of Water Right usi			
		Consequently, the undersig			_
16				5 , p	
17.					
18					
19	*	T7.			
20		This notice shall be	sent to the follow	ing two persons:	
21	. *	Linda Lea Sharer, Chief Dep United States District Court	for the District of	Nevada	
22		400 South Virginia Street, S Reno, NV 89501	uite 301		
23	·	And			
		Susan L. Schneider	•		
24		United States Department of P.O. Box 756	Justice		
25		Littleton, CO 80160	•		
26					
27					• .

28 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 2 of 3

case 3:	: 7sac6y 100127r Reads Web CarD agument nevEilleds 08/26/108 Riage 120	98 <sub>id</sub> q
2	litigation.	-
3		
4	Executed this 16 day of JUNE 2006.	
5		
6		
7		
8	[signature of counter-defendant	J
9		
10	[name of counter defendant]	-
11	John 7, Growen	
12		
13	[signature, if applicable, of person act behalf of counter-defendant]	ing on
14		
15		
16	behalf of counter-defendant]	g on
17		
18	6421 Couplat Blod E. Dondo, Ca 956	
19	E. Dondo, Ca 956	23
20	[address]	
21		
22	[telephone number]	•
23	(350) 621 (80)	
24		
25		
26		
27		

28 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 93 of 98

# **Quitclaim Deed**

THIS QUITCLAIM DEED, executed this 24 th day of March, 2006, by first party, Grantor,
to second party, Grantee, Patricia Li Gountey
whose post office address is 1.3. 30x 253 El Donado (A 95623
WITNESSETH, That the said first party, for good consideration and for the sum of
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of

APN: 12-361-23

All that centain real property being a portion of the SE 1/4 of SEction 27 TIZN, R 25 E, M.D.B. EM., Lyon Country, Neuroda, described as Collabos:

Pancel 3, As shows on the Division Into Large Pancel
Maps for William M. WEAVER JR. & Mosermany F. WEAVER TRUSTERS
ton the William M. WEAVER JR. Trust Recorded in the
Official Records of Lyon County, NEVADA on August 9 1997
As downized No. 208523.

Together with all tracements, were ditancents and Approximation and therements belonging on in agrees Apportancy, and any Reversions, The manualist, Tents, 188085 on problem of thereof.

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 94 of 98

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Signature of Witness: Print name of Witness: Signature of Witness: \_\_\_\_\_\_ Print name of Witness: Signature of First Party: \_\_\_\_\_ Print name of First Party: Signature of Second Party: \_\_\_\_\_ Print name of Second Party: Print Name of Preparer bho 7 Garrley Address of Preparer 644 Caystal 3108 El Doundo Ca State of CACIFORNIA County of SAERAMENTO On Monord 27 2000 before me, ACFONSE MENARIN, A MOTARY PUBLIC appeared JOHN GOLIKLEY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. Signature of Notary Affiant \_\_\_\_Known\_\_\_\_Produced ID Type of ID ALFONSO MENARDO (Seal) Commission # 1395206 Notary Public - California 🕏

<sup>7</sup> Sacramento County My Comm Expires Jan 21, 2**007** 

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 95 of 98

# **Quitclaim Deed**

THIS QUITCLAIM DEED, executed this 2006
by first party, Grantor,
whose post office address is been considered 200 51 Day do 1 65-122
to second party, Grantee, Particia L. Gampley
whose post office address is for sox 253 Fel Denudo, CA 956-23
WITNESSETH, That the said first party, for good consideration and for the sum of
ZFILO
said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of
Lot 23 Block B, AS Shows so the Official Map of Conean Acres Subdivision recorded in the Office Records of Lyon Country, Neverda on September 10, 1 AS downant NO. 60630 1/2.
printeres with all terrients hereditaments a printeres therewith belonging on in Anguise prestaining and Any REVERSION REMAINDERS, TENTS, 1850E profits thereof.

### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 96 of 98

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of: Signature of Witness: Print name of Witness: Signature of Witness: \_\_\_\_\_\_ Print name of Witness: Signature of First Party: Print name of First Party: Signature of Second Party: \_\_\_\_ Print name of Second Party: Print Name of Preparer \_\_\_\_\_\_ Address of Preparer 6421 (195 Jul County of SACRAMENTO On Money 27, 2006 before me, ALFONSO MEXARDO, A NOTARY PUBLIC appeared JOHN GOURLEY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. Werard Signature of Notary Affiant \_\_\_\_\_Known Produced ID Type of ID \_\_\_\_\_ ALFONSO MENARDO (Seal) Commission # 1395206

Notary Public - Galifornia Sacramento County My Comm. Expires Jan 21, 2007

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 97 of 98

# **Quitclaim Deed**

THIS QUITCLAIM DEED, executed this 24 th day of Manch , 20 06,
by first party. Grantor.
whose post office address is (-442) County (-122)
to second party, Grantee, factories 1 Governo
to second party, Grantee, factories L. Crounting whose post office address is f. D. Box 253 K. Donado CA 95623
75,000
WITNESSETH, That the said first party, for good consideration and for the sum of
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paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the
said second party forever, all the right, title, interest and claim which the said first party has in and to the following described
parcel of land, and improvements and appurtenances thereto in the County of
State of NEVALA to wit:
to wit.
nen. I se sé
APP: 1-121-05.
KNOWS AS 121 N. CALIFORNIA STREET.
DER Exhibit - A - Attached here to and bu
Retracce and here
SER Exhibit - A - Attached here to and by RETERROLE made Apart hereof.
Together with all texements hereditaments and
J Water S Mile
purtanents there un to belonging on in anywise appendance a
puntaments there un to belonging on in anywise appending of my TREVERSION, REMARKS, RENTS, ISSUES on prolits
a my THEVENSION, REMANDERS RENTS ISSUES on andits
tot . C

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 03/26/08 Page 98 of 98

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of: Signature of Witness: Print name of Witness: Signature of Witness: \_\_\_ Print name of Witness: Signature of First Party: \_\_\_\_\_ Print name of First Party: Signature of Second Party: Print name of Second Party: Print Name of Preparer Address of Preparer 642 Curstan 3102 El Dendo Ca State of AUTORALIA County of Stephalen 70 On MARCH 27, 2000 before me, ALFONSO NEWARDO, A MOTARY PUBLIC. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/lare\_ subscribed to the within instrument and acknowledged to me that be she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. Muliant Signature of Notary Affiant \_\_\_\_\_Known\_\_\_\_ Produced ID Type of ID \_\_\_ ALFONSO MENARDO (Seal)

Page 2